

REMARKS

I. Introduction

Claims 1, and 20-38 are pending in the application.

Claims 32-38 were withdrawn from consideration.

Applicant appreciates the Examiner's indication of allowable subject matter with respect to claims 21, 22, 24, and 27.

Favorable consideration is respectfully requested in light of the foregoing clarifying amendments and the following remarks.

II. Information Disclosure Statement

With this filing, Applicant is also submitting an additional/corrected Information Disclosure Statement. The table below identifies the references as specifically noted in the Action and the corrected reference numbers:

CITE NO.	Reference in Original IDS	Corrected Reference No.
AC	US-2002/163745	2002/0163745 A1
AD	US-W002/46001	WO 02/46001 A1
BA	EP-0355722	EP0355722

III. Claim Rejections Under 35 U.S.C. § 102

Claims 1, 20, 23, 25, 26, 28 29 and 31 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent 5,481,931 (Vecchiari).

In referring to Fig. 3 of Vecchiari, the Action identifies plate (6), drive (8), and an actuator and bridge (with general reference to the "end connected to the edge of the plate").

Vecchiari *arguably* discloses an actuator part that is integrally formed with the support (i.e., plate 6) – whether any of elements 11, 12, 13, or any combinations thereof. That is the

actuator part of Vecchiari actually corresponds to rack 13, which is a component that is manufactured separately and is not integrally formed with the support. Nevertheless, among other things, and irrespective of that distinction, Vecchiari fails to disclose, teach or suggest an actuator part that is integrally formed with the support that is adjustable relative to the support – much less an actuator part that is capable of, and configured for, adjustment as claimed. Moreover, Applicant has amended independent claims 1 and 31 to clarify the respective planar references associated with the first and second positions.

Therefore, with respect to pending independent claims, irrespective of which elements (11, 12, 13, or combinations thereof) of Vecchiari are considered to be the “actuator part,” none of those elements, taken alone or in combination, are (a) adjustable relative to the support from a *first position* in which the actuator part is oriented substantially in or along the plane of the support, and (b) adjustable to a *second position* in which the actuator part is oriented so as to reach substantially outwards relative to the plane of the support. In fact and to the contrary, with respect to Vecchiari, elements 11, 12, and 13 all remain in the plane of the support/plate at all times.

Claims 20-29 all depend, directly or indirectly from independent claim 1, and are therefore patentable for at least the foregoing reasons.

As such, withdrawal of the Section 102 rejections is respectfully requested.

IV. Claim Rejections Under 35 U.S.C. § 103

Claim 30 was rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent 5,481,931 (Vecchiari).

While Applicant respectfully traverses the position of the Action that the purposeful comparative selection of materials as identified is merely an obvious matter of engineering choice. Applicant asserts that the rejection is moot given that claim 30 depends indirectly from allowable independent claim 1.

Therefore, withdrawal of the Section 103 rejection is respectfully requested.

V. Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. Moreover, because the arguments advanced herein may not be exhaustive, there may be additional reasons for patentability with respect to any or all of the pending claims that have not been expressed.

For all of the above reasons, Applicant submits the claims are now in proper form, and that the application is now in condition for allowance. Such action is respectfully solicited.

If for any reason the application is not believed to be in full condition for allowance, the Examiner is earnestly requested to contact the undersigned.

Respectfully submitted,

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